

IDAHO BOARD OF PODIATRY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 2/21/2018

BOARD MEMBERS PRESENT: Scott A Graviet, D.P.M. - Chair
Douglas Williams, D.P.M.
Stewart Jones, D.P.M.
Ione Springer
Jeanne M Arnold, D.P.M.

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Admin. Support Manager
Marcie Rightnowar, Appeals/Hearings Coordinator
Maurie Ellsworth, General Counsel
Dicsie Gullick, Management Assistant
Betsy Duncan, Technical Records Specialist I

The meeting was called to order at 4:00 PM MST by Dr. Graviet.

INTRODUCTION OF JULIE EAVENSON

Ms. Eavenson was introduced to the Board.

APPROVAL OF MINUTES

Dr. Jones made a motion to approve the minutes of 11/29/2017. It was seconded by Dr. Arnold. Motion carried.

LEGISLATIVE REPORT

Ms. Cory reported to the Board regarding the legislative outreach meetings which were held in various districts before the 2018 Legislative Session convened. She said the meetings will be planned for next year as they were generally seen as very beneficial by those attending. Dr. Williams reported on his experience at the meeting he attended. He said he appreciated the opportunity to meet with legislators and other board members serving various state regulatory boards.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$57,556.41) as of 1/31/2018.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Dr. Williams made a motion to approve the Bureau's recommendation and authorize closure in case I-POD-2018-1 with a warning letter to the licensee. It was seconded by Ms. Springer. Motion carried.

INTERIM COMMITTEE UPDATE

Mr. Ellsworth stated that the Idaho Legislature has an Interim Committee that has been studying the use of hearing officers and is also looking at the Idaho Administrative Procedures Act. Draft legislation was presented at the Interim Committee's last meeting that would make substantial changes to the Idaho Administrative Procedure Act and the way contested cases are handled. The Bureau submitted a letter to the Committee seeking clarification concerning some of the proposed changes prior to the Committee's meeting on October 2, 2017. As the Bureau receives additional information, it will be provided to the Board.

LEGISLATIVE REPORT

Ms. Cory informed the Board that Senators Burgoyne and Den Hartog have a bill, S1316, which would allow a person or entity that is alleged to have violated the Board's laws and rules to recover attorney's fees if the person or entity was found to have not violated the Board's laws and rules. The bill would also allow licensees with current disciplinary action to renew or reinstate their licenses regardless of the status of payment of current fines. Dr. Graviat volunteered to be the Bureau's contact to assist with this and other legislative issues.

OLD BUSINESS

The Board reviewed the To Do List.

EXECUTIVE ORDER

Ms. Eavenson outlined the Board's role in responding to the Lt. Governor's Executive Order. There is a template that will be used to complete each Board's response, and the template contains six sections:

- A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal
- B. Applications and Renewals Denied – 2017
- C. Disciplinary Actions – Past 5 Years
- D. Law, Rule, or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry
- E. Assessment of Public Interest
- F. Recommendations for Improvement, Modification, or Elimination of Requirements

The Bureau will be responsible for gathering and entering all of the data in sections A, B and C of the template. The Bureau and each Board will jointly fill in section D regarding the Law, Rule or Policy Changes or Proposed/Implemented Changes in Last 5 Years to Eliminate Barriers to Entry. The Board Specialist and Administrative Support Manager will assist the designated Board member with writing sections E and F.

Ideas for the EO that come up between meetings cannot be shared among Board members outside of Board meetings, but may be forwarded to the Board Specialist or Administrative Support Manager for inclusion in the next meeting.

The process will be completed in three meetings: 1) discussion, 2) review and approve a rough draft, and 3) review and approve a final draft. The final draft must be completed and approved by June 15, to meet the July 1, deadline for responding.

Dr. Arnold made a motion to designate Dr. Gravier to represent the Board, per his volunteer offer as part of the Legislative Update previously mentioned, and to designate Dr. Jones to work with Bureau staff in drafting the Board's response to the Executive Order. It was seconded by Ms. Springer. Motion carried.

CONTINUING EDUCATION SUBCOMMITTEE

Dr. Arnold reported on the findings of research done on other state rules regulating CE requirements for podiatric boards. She said that 60 percent of states allow home study for all required CE hours. She suggested the Board drop the requirement limiting on-line CE courses to a maximum of 10 hours annually. This proposed rule change should be part of the recommendations in the Board's Executive Order report, as it would make renewal easier for licensees. Dr. Gravier suggested asking the Idaho Podiatric Medical Association if their members would favor this type of change in obtaining CE hours. Dr. Williams volunteered to contact the association and report to the Board at the next meeting. Dr. Arnold will report to the Board on her findings at the Board's next meeting.

NEW BUSINESS

PROPOSED LAWS AND RULES

Ms. Cory said the deadline to submit proposed law changes to the Governor's Office is mid-July 2018 and the deadline to submit proposed rule changes to the Governor's Office is mid-August 2018 for the 2019 Legislative Session.

NEXT MEETING was scheduled for May 7, at 3:00 PM MDT.

DISCUSSION OF SECURE WEB MEETING PROCESS

The Board approved using the web-based system for reviewing meeting materials.

CORRESPONDENCE

The Board reviewed correspondence from the Citizens Advocacy Center offering training and support of public members of state health regulatory boards. No action was taken.

ADJOURNMENT

Dr. Williams made a motion to adjourn the meeting at 5:09 PM. It was seconded by Dr. Arnold. Motion carried.

Scott A Gravier, D.P.M., Chair

Douglas Williams, D.P.M.

Stewart Jones, D.P.M.

Ione Springer

Jeanne M Arnold, D.P.M.

Tana Cory, Bureau Chief